



U.S. Department of Transportation

Notice of Funding Opportunity (NOFO) Number 693JJ319NF00001

“Automated Driving System Demonstration Grants”

Issue Date: 12/21/2018

Application Due Date: 3/21/2019

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The USDOT is using [www.Grants.gov](http://www.Grants.gov) for issuance of this Notice of Funding Opportunity (NOFO) and for receipt of all applications. Applicants must register and use the system to submit applications electronically. Applicants are encouraged to register in advance of the submission deadline and to register to receive notifications of updates/amendments to this Notice. Approval of user registrations for the site may take multiple weeks. It is the Applicant's responsibility to monitor for any updates to this Notice.

*On behalf of the USDOT, this NOFO is issued by Federal Highway Administration (FHWA), Office of Acquisition and Grants Management. Accordingly, the grants.gov notice will appear under the agency name of FHWA.*

<b>Funding Opportunity Summary:</b>	<b>Up to \$60,000,000 in Federal funding to provide grants to eligible entities to fund demonstration projects that test the safe integration of automated driving systems into the Nation's on-road transportation system.</b>
Federal Agency Name:	U.S. Department of Transportation (USDOT) Federal Highway Administration (FHWA) * 1200 New Jersey Avenue, SE; Mail Drop: E62-204 Washington DC 20590 Attn: Sarah Tarpgaard, HCFA-32  <i>*On behalf of the USDOT, this NOFO is issued by Federal Highway Administration (FHWA), Office of Acquisition and Grants Management. Accordingly, the grants.gov notice will appear under the agency name of FHWA.</i>
Title:	Automated Driving System (ADS) Demonstration Grants
Announcement Type:	This is the initial announcement of this funding opportunity. This is not a follow-on notice.
Funding Opportunity Number:	693JJ319NF00001
Type of Award:	Multiple Grants
CFDA Number:	20.200 Highway Research & Development
Application Due Date:	Submission Deadline: Applications Due by 3/21/2019 at 8:00 PM Eastern Time through <a href="http://www.Grants.gov">www.Grants.gov</a>
Estimated Announcement of Selected Awardees:	Spring 2019

## **SECTION A – PROGRAM DESCRIPTION**

USDOT hereby requests applications in response to this Notice of Funding Opportunity (NOFO) to result in multiple grant awards to eligible entities to fund demonstration projects that test the safe integration of automated driving systems into the Nation's on-road transportation system. See details below for applicant eligibility.

Public Law 115-141 appropriates funding for a “highly automated vehicle research and development program” to fund planning, direct research, and demonstration grants for Automated Driving Systems (ADS) and other driving automation systems and technologies. Of the total amount provided, \$60,000,000 must be used for demonstration grants that test the safe integration of ADS into our Nation's on-road transportation system.

Anticipated award amounts resulting from this NOFO will vary. Public Law 115-141 and its accompanying Joint Explanatory Statement provide additional information related to these funds.

### **1. STATEMENT OF PURPOSE**

Safety has consistently been DOT's top strategic and organizational goal.<sup>1</sup> Automation offers the potential to improve safety for vehicle operators and occupants and other travelers sharing the road.<sup>2</sup> To address this potential, the USDOT hereby solicits applications to result in awards to eligible entities for an Automated Driving System (ADS) Demonstration Program to fund planning, direct research, and demonstration grants for the research and development of ADS, defined in the SAE International Taxonomy and Definitions for Terms Related to Driving Automation Systems for On-Road Motor Vehicles, J3016\_201806,<sup>3</sup> as well as certain technologies associated with ADS.

### **2. LEGISLATIVE AUTHORITY**

Legislative authority for conducting this effort is found in Public Law 115-141, Division L, Title I, which provides additional funding and associated obligation limitation to the Secretary of Transportation to award grants and cooperative agreements for a highly automated vehicle research development program to fund planning, direct research,

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<sup>1</sup> USDOT Strategic Plan for FY 2018-2022 <https://www.transportation.gov/dot-strategic-plan>

<sup>2</sup> Automated Vehicles 3.0 <https://www.transportation.gov/av/3>

<sup>3</sup> [https://www.sae.org/standards/content/j3016\\_201806/](https://www.sae.org/standards/content/j3016_201806/)

and demonstration grants for driving automation systems and technologies.

The law specifies “that such amounts, payments, and obligation limitation as may be necessary to carry out highly automated vehicle research and development program activities may be transferred and credited to appropriate accounts of other participating Federal agencies.”

Specific authority to enter into grants for this effort is found in Public Law 115-141, Division L, Title I, which states the activities “may be accomplished through direct expenditure, direct research activities, grants, cooperative agreements, contracts, intra or interagency agreements, or other agreements with public organizations...”

### **3. GOALS**

The goals of the ADS Demonstration Program are:

- a. Safety: Test the safe integration of ADS into the Nation’s on-road transportation system. Fund projects that demonstrate how challenges to the safe integration of ADS into the Nation’s on-road transportation system can be addressed.
- b. Data for Safety Analysis and Rulemaking: Ensure significant data gathering and sharing of project data with USDOT and the public throughout the project in near real time, either by streaming or periodic batch updates, and demonstrate significant commitment to leveraging the demonstration data and results in innovative ways. Fund demonstrations that provide data and information to identify risks, opportunities, and insights relevant for USDOT safety and rulemaking priorities needed to remove governmental barriers to the safe integration of ADS technologies.

For example:

- What safety metrics characterize safety risk of ADS integration into the transportation system?
- What data are necessary to develop these metrics?
- How can the demonstration help provide data to set a baseline for human safety?
- How can the demonstration help provide data to set a baseline for the safety of ADS operation?
- How can operational data provide leading indicators that would enhance future safety analysis?
- How can the demonstration help provide data to define safety equivalency for ADS light duty and heavy-duty vehicles, including commercial motor vehicles?

- c. Collaboration: This program seeks to work with innovative State and local governments, as well as universities and private partners, to create collaborative environments that harness the collective expertise, ingenuity, and knowledge of multiple stakeholders. These projects should include early and consistent stakeholder engagement, including early coordination with law enforcement, local public agencies, industry, transportation-challenged populations, the public, and other relevant stakeholders as applicable to conduct these demonstrations on terms that work for all parties.

#### 4. FOCUS AREAS

In addition to the program goals listed above, the focus areas of the ADS Demonstration Program are:

- a. Significant Public Benefit(s): Fund a select number of larger-scale projects that result in a significant benefit(s) to the public.
- b. Addressing Market Failure and Other Compelling Public Needs: Fund projects where industry lacks adequate incentives to participate. This includes areas where cost, risk, or complexity are too significant for any single private sector entity (e.g., cybersecurity) or where a lack of private sector investment has not proven sufficient to support particular groups (e.g., access for individuals with disabilities).
- c. Economic Vitality: Ensure that these Federal funds support the U.S. industrial base through Buy American and other requirements. Recognizing Executive Order 13788, proposed projects must support economic vitality at the national and regional level, including advancing domestic industry and promoting domestic development of intellectual property.
- d. Complexity of Technology: Fund a collection of projects that demonstrate automation, with preference for demonstrating L3 or greater automation technologies.
- e. Diversity of Projects: Fund a collection of projects that serve a variety of communities, including urban, suburban, and rural environments, and that serve a variety of transportation markets including freight, personal mobility, and public transportation.
- f. Transportation-challenged Populations: Fund projects that test applications with the greatest potential to service transportation-challenged populations, including older adults and individuals with disabilities. As applicable for such populations,

projects may focus on entry, egress, and options to make transfer easy, which may include design of ADS for accessibility, usability, and safety, including securement and restraint systems for wheelchairs and other equipment for people with disabilities.

- g. Prototypes: Given the focus on demonstrations, fund projects that include technologies that are, at a minimum, in limited prototype state suitable to support safe demonstrations but do not need to be ready for broader deployment. Demonstrations must meet all applicable safety standards or have a detailed approach concerning how the grantee intends to apply for any necessary exemptions.

## 5. DEMONSTRATION REQUIREMENTS

In addition to the program goals and focus areas listed above, the minimum requirements of the ADS Demonstration Program are listed below. Each demonstration must comply with all requirements.

- a. Each demonstration must focus on the research and development of automation and ADS technology (per the SAE definitions), with a preference for demonstrating L3 or greater automation technologies.
- b. Each demonstration must include a physical demonstration. Modeling and simulation may be included activities; however, a physical demonstration is required.
- c. Each demonstration must include the gathering and sharing of all relevant and required data with the USDOT throughout the project, in near real time. The Recipient must ensure the appropriate data are accessible to USDOT and/or the public for a minimum of five years after the award period of performance expires. Data demonstrating safety performance should include conventional data regarding safety incidents, operational (vehicle and ecosystem data), exposure measures, and innovative measures of safety-relevant vehicle behaviors that may indicate potential safety problems.

### NOTES TO APPLICANTS:

- Lack of or minimal data sharing due to confidential business information (CBI) claims will be viewed negatively in the awardee selection process.
- The USDOT may make available a secure data system to store data for evaluation, or projects can designate an appropriate third-party system where

USDOT analysts can conduct their work. Applicants should budget for the costs of data storage and sharing as appropriate.

- The USDOT expects the Recipient to remove sensitive CBI and PII before providing public access to project data, consistent with the public access requirement in Section F, Paragraph 2.I. of this NOFO.
- d. Each demonstration must include input/output user interfaces on the ADS and related applications that are accessible and allow users with varied abilities to input a new destination or communicate route information and to access information generated by the ADS.
- e. Each demonstration must address how the demonstration can be scaled to be applicable across the Nation to similar types of road environments, as well as include an outreach task to share demonstration status, results, and lessons learned with other jurisdictions and the public, in furtherance of technical exchange and knowledge transfer.

## **6. WORK AREAS**

Demonstrations may occur on proving grounds, test tracks, port terminals, campuses, or on public roads.

Work areas for Federal funding under the ADS Demonstration Program include:

- a. Technologies associated with ADS;
- b. Advanced communication systems supporting safety and/or mobility, including vehicle-to-vehicle and vehicle-to-infrastructure interoperable communications that benefit ADS integration;
- c. Innovative mobility solutions that involve deployment of automated vehicles;
- d. ADS that enhance safety and mobility for older adults and travelers with disabilities;
- e. Demonstration of shared interoperable fleet of automated vehicles; and
- f. Demonstration and validation of exchanges of data that can support and potentially accelerate the safe, efficient, and secure interoperable integration of ADS. Support the development of candidate system architecture content and the identification of and, where needed, development of voluntary consensus standards that can support large-scale, nationwide or global interoperable integration of ADS technologies into the on-road transportation system.



Demonstrations can propose multiple ways to address challenges to show trade-offs among different technologies, technology implementations, and different support technologies. Examples of supporting technologies include:

- a. Cybersecurity;
- b. Dynamic road network mapping; and
- c. Roadway marking and signage.

## 7. MILESTONES / DELIVERABLES

Grant Milestones/Deliverables	Approximate Due Date	Section 508 Compliant?
Kick-off Meeting – Conduct a kick-off meeting with USDOT at mutually-agreed-upon location. Kick-off Meeting may be virtual or in-person based on mutual agreement of the parties.	Within 3 weeks after the effective date of award.	No
<p>Project Management Plan (PMP) to include, at a minimum:</p> <ul style="list-style-type: none"> <li>a) <b>Statement of Work</b>, with a description of <b>Tasks and Sub-Tasks</b> by which the project work activities will be organized, executed, and monitored.</li> <li>b) A <b>Project Schedule</b> (Gantt Chart or equivalent) displaying begin and end times for each Task and Sub-Task, plus achievement of Project Milestones.</li> <li>c) A description of major <b>Project Milestones</b>, including key Reports, start of operations of important systems or subsystems, and other important deliverables or events.</li> <li>d) A <b>Staffing</b> Table, which identifies a single Project Manager, plus project staff and/or consultants that will lead and support each Task (or Sub-Task if appropriate).</li> <li>e) <b>Project Budget</b>, displaying planned expenditures for each Task, with a further breakdown by Cost Element for each Task, and by the Federal share vs. non-Federal share.</li> </ul>	Within 2 weeks after kick-off meeting.	No

<p>Data Management Plan (DMP) to include: a) A description on how data will be managed during and after the project, including non-public data provided to the USDOT for analysis and data to be shared with the public in accordance with paragraph 7.4.2 of the U.S. DOT Public Access Plan (see <a href="https://www.transportation.gov/mission/open/official-dot-public-access-plan-v11">https://www.transportation.gov/mission/open/official-dot-public-access-plan-v11</a>).</p> <p>b) Delivery of Data and Associated Documentation as outlined in the Data Management Plan.</p>	<p>Within 60 days after effective date of the award, to be updated throughout the project.</p>	<p>No</p>
<p>Project Evaluation Plan.</p> <p>The Recipient shall prepare an Evaluation Plan, which shall include, at a minimum:</p> <p>a) Statement of <b>Project Objectives</b>.</p> <p>b) List of <b>Evaluation Criteria</b> (e.g. quantitative performance metrics and/or qualitative assessments) tailored to the Project Objectives.</p> <p>c) Description of <b>data-collection</b> procedures tailored to these criteria, which could include, for example, before/after data, surveys, interviews, system-monitoring data, or other data needed to report on achievement of project objectives.</p> <p>d) Outline of <b>Evaluation Report</b> (1-page, <u>draft</u> list of topics to be addressed).</p> <p>e) Description of <b>data system</b> where evaluation data will be stored and analyzed, if not using one provided by the USDOT, and how USDOT analysts will be provided access to the system.</p>	<p>Within 90 days after effective date of the award.</p>	<p>No</p>
<p>Quarterly Progress Reports – submit progress reports to document activities performed, anticipated activities, and any changes to schedule or anticipated issues. See Quarterly Progress Report clause for required content. (NOFO Section F, Paragraph 3.A.).</p>	<p>Within 30 days of the end of each Quarter</p>	<p>No</p>
<p>Annual Budget Review and Program Plan (NOFO Section F, Paragraph 3.B.).</p>	<p>60 days prior to Anniversary date of Award</p>	<p>No</p>
<p>Annual Budget Review and Program Plan Meeting (NOFO Section F, Paragraph 3.B.).</p>	<p>45 days prior to Anniversary date of Award</p>	<p>No</p>

Final Evaluation Report – submit a report describing: (1) how the project has met or not met the original expectations projected in the PMP; (2) evaluation results of the project according to the Project Evaluation Plan; (3) summary of any complications experienced with the ADS demonstration, specifically outside the ADS including pedestrians, infrastructure, and/or other vehicles; and (4) how to use the demonstration results to help the public interact and better understand the operations of ADS.	90 days prior to the end of the Period of Performance.	Yes
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## **SECTION B – FEDERAL AWARD INFORMATION**

### **1. FUNDING AND NUMBER OF AWARDS**

The USDOT anticipates making multiple grant awards for the implementation and evaluation of the ADS Demonstrations as a result of this NOFO. The USDOT anticipates Federal funding in the amount of up to \$60,000,000 total may be made available, subject to the availability of funds. Public Law 115-141 and its accompanying Joint Explanatory Statement provide additional information related to these funds.

USDOT reserves the right to:

- (1) Award grants in an amount less than the anticipated \$60,000,000 in funding, depending upon the applications received; and/or
- (2) Award all grants at one time or make rolling awards of grants across a timeframe to be determined; and/or
- (3) As needed in the future, issue a follow-on separate NOFO to solicit additional applications.

The Government's obligation under the awards is contingent upon the availability of appropriated funds from which payment for agreement purposes can be made. No legal liability on the part of the Government for any payment may arise until funds are made available by the Agreement Officer for an award and until the awardee receives notice of such availability, to be confirmed in writing by the Agreement Officer.

### **2. TYPE OF AWARD**

Awards will be Cost Reimbursement grants.

Funding will remain available until expended. Future NOFOs may be issued as needed for distribution of remaining available funds.

### **3. PERIOD OF PERFORMANCE**

Awards will vary in duration based on the proposed project. The anticipated period of performance is between 1 and 4 years from the effective date of award. Applicants shall propose a period of performance specific to their proposed demonstration project.

### **4. DEGREE OF FEDERAL INVOLVEMENT**

The anticipated Federal involvement may include the following, as needed, to ensure Federal oversight and stewardship: (a) performance monitoring; (b) participation in status meetings, including kick-off meeting and annual technical and budget reviews; (c) technical guidance; and (d) coordination of data management and sharing.

## **SECTION C – ELIGIBILITY INFORMATION**

### **1. ELIGIBLE APPLICANTS**

Applicants **MUST** meet the following eligibility criteria to be considered for award. Applicants who do not meet the eligibility criteria should not respond to this NOFO.

Eligible Applicants must be one of the following types of organizations:

State and local governments, tribal governments, transit agencies and authorities, metropolitan planning organizations, other subdivisions of State or local governments (including public port authorities/districts), public academic institutions, public research institutions, or a multijurisdictional group\* thereof applying through a single lead Applicant.

Private companies and private universities are **NOT** eligible Applicants. However, private companies and private universities may be a sub-recipients or subcontractors.

\*Multijurisdictional group means a combination of eligible Applicants comprised of at least 2 members, each of whom is an eligible Applicant under the terms of this paragraph. One Applicant must be identified as the lead entity to serve as prime awardee in the event an award is made.

### **2. COST SHARING OR MATCHING**

Cost sharing or matching is not required but is encouraged and will be considered in the award selection process. If proposed, the Government will evaluate cost share as part of the budget review. The degree of cost share will be considered beneficial to the extent the cost share is considered feasible and demonstrates a furtherance of the goals of the ADS Demonstration program.

Cost sharing or matching means the portion of project costs not paid by Federal funds. For a more complete definition, please see the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 CFR Part 200, including Section 200.306 on Cost Sharing or matching. Other Federal funds using their appropriate matching share may be leveraged for the demonstration but cannot be considered as part of the matching funds, unless otherwise supported by statute.

Note: If applicable, any program income generated under the project must be handled in accordance with SECTION F.

## **SECTION D – APPLICATION AND SUBMISSION INFORMATION**

### **1. APPLICATION SUBMITTAL**

Applicants must submit their applications via [Grants.gov](https://www.Grants.gov) under the Notice of Funding Opportunity Number cited herein. Applications must be submitted through the Grants.gov Workspace. Please note: legacy PDF packages are no longer available. The Applicant must complete and submit all forms included in the application package for this Notice as contained at [www.Grants.gov](https://www.Grants.gov).

### **2. INTENT TO RELEASE APPLICATIONS AND NAMES OF APPLICANTS**

The USDOT intends to release online to the public names of all applicant organizations shortly after the application due date.

In order to expand public awareness of ADS technologies, concepts, and ideas, the USDOT intends to release online to the public each Applicant's Project Narrative and Technical Approach (Application Part 1). The USDOT anticipates release of the Project Narratives after selection of awardees has been announced. By submitting an application in response to this solicitation, the Applicant provides the USDOT permission to: (1) release publicly the Applicant's organizational name; and (2) release publicly the Project Narrative and Technical Approach (Application Part 1) described below.

### **3. FORMAT OF APPLICATION SUBMISSION**

- a. Applications must be prepared on 8½ x 11-inch size pages. Pages larger such as 11 x 17 inches will not be considered. Foldouts must not be used.
- b. Text must be printed using a font size no less than 12-point font (Arial or Calibri).
- c. Line spacing is up to the Applicant but must be legible to reviewers. Single spacing is acceptable.
- d. Tables are permitted and text in tables must be doubled spaced.
- e. Text in captions below charts, tables or figures must be not less than 10 point, and can be 2 lines of text long (limited by the width of the chart, table or figure) and single spaced.
- f. Page margins must be a minimum of 1 inch top bottom and each side.
- g. Page numbers may be located within the 1 inch margins.
- h. A Header or Footer identifying the Applicant Name and the Volume Number may be located within the 1 inch margins

- i. All application pages shall be consecutively numbered.
- j. For the submitted application package, USDOT suggests that pictures, graphics, and other large files be reduced in number and quality to keep the size of the files of the application manageable and in line with the Grants.gov suggested maximum size of 200 megabytes for the entire grant application package.
- k. USDOT recommends that Applicants use a file naming format of: *Applicant\_organization–fileID* where “*Applicant\_organization*” reflects the Applicant’s legal name, abbreviated as appropriate, and *fileID* is Part-1 or Part-2, as appropriate. If an Applicant organization is submitting multiple applications, project names or identifiers may be added to the workspace title in parentheses after the Applicant organization. For example, a workspace in Grants.gov may be titled “*Applicant\_organization (Project 1)–fileID*.” If necessary, the Workspace title can be edited per the instructions on Grants.gov.

#### 4. CONTENT OF APPLICATION SUBMISSION AND PAGE LIMITATIONS

Applications must include the following parts:

Part #	Title	# of Files	Page Limitation	To be released online to the public?
1	PROJECT NARRATIVE AND TECHNICAL APPROACH	1 file to be submitted in two formats: (1) Microsoft Word; AND (2) PDF.	25 pages max  (Page limit <u>does NOT include</u> Cover Page, Cover Letter, Summary Table, and Table of Contents.)	Yes
2	MANAGEMENT APPROACH, STAFFING APPROACH; AND CAPABILITIES	1 file to be submitted in PDF.	25 pages max  (Page limit <u>does NOT include</u> Resumes, but Resumes are limited to 2-pages each.)	No
3	DRAFT DATA MANAGEMENT PLAN	1 file to be submitted in PDF.	No limit	No
4	LETTERS OF COMMITMENT	1 file to be submitted in PDF.	No limit	No

5	APPLICATION STANDARD FORMS AND ORGANIZATIONAL INFORMATION	1 file in PDF; forms submitted via grants.gov.	No limit	No
6	BUDGET DETAIL	1 file in PDF.	No limit	No

**Part 1 – PROJECT NARRATIVE AND TECHNICAL APPROACH (25 pages max; to be released online to the public)**

Provide a detailed description of your proposed ADS Demonstration. Include the following:

a) Introduction (excluded from page count)

The following items make up the Introduction and are excluded from the page count:

- Cover Page,
- Cover Letter,
- Summary Table (below), and
- Table of Contents/Listing of Tables/Figures.

Include the following Summary Table in your Introduction:

<b>Summary Table</b>	
Project Name/Title	
Eligible Entity Applying to Receive Federal Funding (Prime Applicant's Legal Name and Address)	
Point of Contact (Name/Title; Email; Phone Number)	
Proposed Location (State(s) and Municipalities) for the Demonstration	
Proposed Technologies for the Demonstration (briefly list)	
Proposed duration of the Demonstration (period of performance)	
Federal Funding Amount Requested	\$
Non-Federal Cost Share Amount Proposed, if applicable	\$
Total Project Cost (Federal Share + Non-Federal Cost Share, if applicable)	\$



## b) Project Narrative and Technical Approach

Provide the following:

1. EXECUTIVE SUMMARY. Describe your proposed demonstration, including:
  - a. Vision, goals, and objectives;
  - b. Key partners, stakeholders, team members, and others proposed to participate;
  - c. Issues and challenges to be addressed, the technology(ies) that will be demonstrated to address the issues, and any quantifiable performance improvements that are anticipated;
  - d. Geographic area or jurisdiction of demonstration; and (NOTE: Demonstrations can span multiple geographic areas or jurisdictions.)
  - e. Proposed period of performance including a schedule for implementation and evaluation of the demonstration.
2. GOALS. Describe how your proposed demonstration aligns with and/or satisfies the Goals contained in NOFO Section A:
  - a. Safety;
  - b. Data for Safety Analysis and Rulemaking; and
  - c. Collaboration.
3. FOCUS AREAS. Describe how your proposed demonstration aligns with and/or satisfies the Focus Areas contained in NOFO Section A:
  - a. Significant Public Benefit(s);
  - b. Addressing Market Failure and Other Compelling Public Needs;
  - c. Economic Vitality
  - d. Complexity of Technology;
  - e. Diversity of Projects;
  - f. Transportation-challenged Populations; and
  - g. Prototypes.
4. REQUIREMENTS. Describe how your proposed demonstration satisfies the Requirements contained in NOFO Section A:
  - a. Each demonstration must focus on the research and development of automation and ADS technology (per the SAE definitions), with a preference for demonstrating L3 or greater automation technologies;
  - b. Each demonstration must include a physical demonstration;
  - c. Each demonstration must include the gathering and sharing of all relevant and required data with the USDOT throughout the project, in near real time. The Recipient must ensure the appropriate data are accessible to

USDOT and/or the public for a minimum of five years after the award period of performance expires;

- d. Each demonstration must include input/output user interfaces on the ADS and related applications that are accessible and allow users with varied abilities to input a new destination or communicate route information and to access information generated by the ADS; and
  - e. Each demonstration must address how the demonstration can be scaled to be applicable across the Nation to similar types of road environments, and include an outreach task to share demonstration status, results, and lessons learned with other jurisdictions and the public, in furtherance of technical exchange and knowledge transfer.
5. APPROACH. Describe your approach to the demonstration including:
- a. Your technical approach to implement and evaluate the demonstration;
  - b. Your approach to address any legal, regulatory, environmental, and/or other obstacles to demonstrating the technology(ies), whether those obstacles be caused by Federal, State, or local requirements;
    - i. Clearly address and explain if your demonstration will or may require exemption from the Federal Motor Vehicle Safety Standards (FMVSS), Federal Motor Carrier Safety Regulations (FMCSR), or any other regulation and, if so, your plan for applying for any necessary exemptions.
    - ii. Clearly address and explain if your demonstration will or may require an exception under the Buy American Act or an exception to the terms of the NOFO Clause at Section F, Paragraph 2.J. entitled BUY AMERICAN AND DOMESTIC VEHICLE PREFERENCES. The clause: (1) requires compliance with the Buy American Act, 41 U.S.C. §§ 8301–8305, as implemented at 48 C.F.R. Subparts 25.1–25.2; and (2) requires that the Recipient not expend grant funds to purchase a motor vehicle unless the final assembly of that vehicle occurred in the United States.
  - c. Commitment to provide data and participate in the evaluation of the safety outcomes of proposed activities, and note measures of effectiveness in other arenas, such as mobility;
  - d. Approach to risk identification, mitigation, and management; and
  - e. Approach to contribute and manage Non-Federal resources (cost share) proposed for the demonstration implementation and evaluation, if applicable.

**Part 2 – MANAGEMENT APPROACH, STAFFING APPROACH, AND CAPABILITIES**

(25 pages max excluding resumes; not intended for public release online)

Provide a detailed description of your proposed Management Approach, Staffing Approach, and Capabilities. Include the following:

1. **MANAGEMENT APPROACH.** Describe your program/project management structure or organization that will implement and oversee the demonstration.
2. **STAFFING APPROACH.** Describe your staffing approach and key personnel that will perform and manage the demonstration. Provide resumes of key personnel. Resumes do not count against the page count but may not exceed 2-pages each.
3. **CAPABILITIES.** Describe your team's capabilities including:
  - a. Provide evidence that establishes your capabilities and capacity to take on a project of this magnitude, including executive commitment, workforce capacity, degree of readiness, and data and performance management capabilities;
  - b. Describe recent past and ongoing relevant projects and relevant technologies implemented in your jurisdiction by the Applicant and/or by your team; and
  - c. Describe the role and planned involvement of stakeholders, key partners, and other organizations, as applicable.

NOTE: Applicants that are multijurisdictional groups or consortia of research or academic institutions do not necessarily have to be an existing organization or coalition but should show evidence that a cooperative agreement, memorandum of understanding (MOU), or other organizational mechanism can be executed in a reasonable timeframe after selection.

**Part 3 – DRAFT DATA MANAGEMENT PLAN** (no page limit; not intended for public release online)

Provide a preliminary overview of data that may be collected or created through the project. Include the following:

1. **DATA DESCRIPTION:** Address the nature, scope, and scale of the data that will be collected.
2. **ACCESS POLICIES:** Describe any access restrictions that may apply to your data.

3. **DATA STORAGE:** Describe where you intend to store your data and why you have chosen that particular option. Different systems may be designated for different types of data (e.g., public, non-public). Note: USDOT may make available a secure data system to store data for evaluation, or projects can designate an appropriate third-party system where USDOT analysts can conduct their work. The applicant's preference should be noted here.

Additional information on data management plans can be found at <https://ntl.bts.gov/public-access/creating-data-management-plans-extramural-research>. A more complete data management plan will be a required deliverable within 60 days after effective date of award.

**Part 4 – LETTERS OF COMMITMENT** (no page limit; not intended for public release online)

Applicants may submit letters of commitment from key stakeholders, proposed team members, and others, as appropriate, for the Applicant and the proposed demonstration. Letters of Commitment should be submitted with letters scanned, organized, and combined into ONE file, with a Table of Contents listing included letters.

**Part 5 - APPLICATION STANDARD FORMS AND ORGANIZATIONAL INFORMATION** (no page limit; not intended for public release online)

1. Application Standard Forms (SFs)

Include the Standard Form 424 (Application for Federal Assistance), Standard Form 424B (Assurances for Non-Construction Programs), and the Certification Regarding Lobbying. Standard Forms (SF) are available online at <http://www.grants.gov/web/grants/forms/sf-424-family.html>.

a. SF-424

- i. Note: Applicants may leave fields 5a, 5b, 6, 7, and 13 blank on the form.
- ii. On the SF-424, the information in block 8a (Applicant's "Legal Name") must be the same as entered for registration in [www.SAM.gov](http://www.SAM.gov) and for the Applicant's DUNS number. The title for an Applicant's workspace on [www.Grants.gov](http://www.Grants.gov) is limited to 240 characters and may be different than the DUNS name.

b. SF-424B

c. Certification Regarding Lobbying

2. Organizational Information

Include the following:

- a. Identify any exceptions to the anticipated award terms and conditions as contained in Section F, Federal Award Administration Information. Identify any preexisting intellectual property that you anticipate using during award performance and your position on its data rights during and after the award period of performance.
- b. The use of a Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS) number is required on all applications for Federal grants or cooperative agreements. Please provide your organization's DUNS number in your budget application.
- c. A statement to indicate whether your organization has previously completed an A-133 Single Audit and, if so, the date that the last A-133 Single Audit was completed.
- d. A statement regarding Conflicts of Interest. Disclose in writing any actual or potential personal or organizational conflict of interest. Describe in a concise manner all past, present, or planned organizational, contractual, or other interest(s) that may affect the Applicants' ability to perform the proposed project in an impartial and objective manner. Actual or potential conflicts of interest may include, but are not limited to, any past, present, or planned contractual, financial, or other relationships, obligations, commitments, or responsibilities, that may bias the Applicant or affect the Applicant's ability to perform the agreement in an impartial and objective manner. The Agreement Officer (AO) will review the statement(s) and may require additional relevant information from the Applicant. All such information, and any other relevant information known to USDOT, will be used to determine whether an award to the Applicant may create an actual or potential conflict of interest. If any such conflict of interest is found to exist, the AO may: (a) disqualify the Applicant, or (b) determine that it is otherwise in the best interest of the United States to contract with the Applicant and include appropriate provisions to mitigate or avoid such conflict in the agreement pursuant to 2 CFR 200.112.
- e. Terminated Contracts - List any contract/agreement held by the prime Applicant that was terminated for convenience of the Government within the past 3 years, and any contract/agreement that was terminated for default

within the past 5 years. Briefly explain the circumstances in each instance. State N/A, as appropriate.

- f. The Applicant is directed to review Title 2 CFR §170 ([http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=/ecfrbrowse/Title02/2cfr170\\_main\\_02.tpl](http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=/ecfrbrowse/Title02/2cfr170_main_02.tpl)) dated September 14, 2010, and Appendix A thereto, and acknowledge in its application that it understands the requirement, has the necessary processes and systems in place, and is prepared to fully comply with the reporting described in the term if it receives funding resulting from this Notice. The text of Appendix A will be incorporated in the award document as a General Term and Condition as referenced under this Notice's Section F, Federal Award Administration Information.
- g. Disclose any violations of Federal criminal law involving fraud, bribery, or gratuity violations. Failure to make required disclosures can result in any of the remedies described in 2 CFR 200.338 entitled Remedies for Noncompliance, including suspension or debarment. (See also 2 CFR Part 180 and 31 U.S.C. 3321).

**PART 6 - BUDGET DETAIL** (no page limit; not intended for public release online)

Present your estimated proposed budget to conduct the ADS demonstration, including:

1. GENERAL BUDGET

- a. Estimated Federal funding amount requested by year and in total to conduct the demonstration;
- b. If applicable, estimated Non-Federal amount (cost share) proposed by year and in total to conduct the demonstration;
- c. If applicable, anticipated source of Non-Federal amount (cost share); and

2. DETAILED BUDGET BY YEAR AND TOTAL

Provide summary budget information that describes all proposed project costs to be funded under the grant (i.e., direct labor and labor rates, travel, equipment costs, cost of supplies, contractual (subcontracts/consultants), construction, & other) and how these estimated costs are connected to the project scope. Provide budget footnotes and narrative to explain proposed costs. The summary budget information must be sufficiently clear, concise, and detailed to describe how funds will be spent under the project. Provide separate summary budget tables that clearly show estimated costs across project components or tasks, an estimated budget for each year of the project, and a separate summary budget table showing project total (all years combined). Costs related to data storage and sharing should be broken out as a separate project component or task. The yearly and summary budget tables

should include the total cost of the project, inclusive of both the Federal share and Non-Federal cost share if applicable.

Provide a separate detailed budget table for EACH year; and a summary table for ALL years. Spreadsheets can be formatted similarly to the format in DOT Form 4220.44, located at:

[https://www.fhwa.dot.gov/cfo/contractor\\_recip/contract\\_form\\_publication.cfm](https://www.fhwa.dot.gov/cfo/contractor_recip/contract_form_publication.cfm)

The detailed budget must include each of the following items/sub-items:

1. Tables and supporting information clearly delineating and supporting all estimated costs: with columns or rows for Federal Share, Cost Share (if applicable) and Total Costs (per year and in summary form) as follows (if applicable):

- a. Labor Rates - Proposed direct labor categories to include labor categories, hours, labor rates and escalation.
- b. Indirect Rates - As applicable, provide proposed indirect rates for all years. Identify all the various specific indirect rates including what they are (pool and base), and what they are based on (e.g.; labor overhead based on direct labor dollars) and how they are applied/calculated. Provide dollar values as well as percentages. Please also provide any audit information to support these rates (for example, a copy of signed Department of Health of Human Services rate agreement).

Note: Per 2 CFR 200.414(f), Indirect (F&A) Costs, an Applicant may elect to propose a de minimis indirect rate of 10% of modified total direct costs.

- c. Other Direct Costs - Applicants must provide a breakout and justification of Other Direct Costs by Category (travel, equipment, etc.).
- d. Subcontractors/Consultants - Provide the following minimum information as applicable:
  - i. Name and address of the subcontractor/consultant.
  - ii. Description of the portion of work to be conducted by the subcontractor/consultant.
  - iii. Cost details for that portion of work.
  - iv. Applicant's cost/price analysis of each proposed subcontractor/consultant showing the Applicant's

determination that the proposed subcontractor/consultant costs and pricing is fair and reasonable; and

- v. Letter of commitment from each subcontractor/consultant.
- e. Detail and support for cost share as part of overall project budget.
- f. Clearly delineate Non-Federal cost share versus Federal share.

In addition to the annual budget tables described above, provide the following two summary level budget tables revised as relevant to the proposed project:

<b>Summary Budget Narrative by Project Component or Task (sample – Applicants shall edit as needed)</b>				
	Year 1 Costs	Year 2 Costs	Year 3 Costs	TOTAL
Description of Project Component or Task				
Description of Project Component or Task				
Description of Project Component or Task				
Description of Project Component or Task				
a. Total Federal Share				
b. Total Non-Federal Share				
c. Total Project Cost (a+b)				



<b>Summary Budget Narrative by Cost Element (sample – Applicants shall edit as needed)</b>				
	Year 1 Costs	Year 2 Costs	Year 3 Costs	Total
Direct Labor (Prime Applicant Labor Categories and Rates)				
Fringe Benefits (Prime Applicant)				
Other Indirect Rates (Prime Applicant)				
Other Direct Costs (ODCs) such as:				
Travel Costs (Prime Applicant)				
Equipment / supplies				
Contractors/Consultants				
a. Total Federal Share				
b. Total Non-Federal Share				
c. Total Project Cost (a+b)				

## **5. UNIQUE ENTITY IDENTIFIER AND SYSTEM FOR AWARD MANAGEMENT (SAM)**

The Applicant is required to: (i) be registered in SAM before submitting its application; (ii) provide a valid unique entity identifier in its application; and (iii) continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency.

The Federal awarding agency may not make a Federal award to an Applicant until the Applicant has complied with all applicable unique entity identifier and SAM requirements. If an Applicant has not fully complied with the requirements by the time the Federal awarding agency is ready to make a Federal award, the Federal awarding agency may determine that the Applicant is not qualified to receive a Federal award and use that determination as a basis for making a Federal award to another Applicant.

## 6. HOW TO REGISTER TO APPLY THROUGH GRANTS.GOV

a. *Instructions:* Read the instructions below about registering to apply for USDOT funds. Applicants should read the registration instructions carefully and prepare the information requested before beginning the registration process. Reviewing and assembling the required information before beginning the registration process will alleviate last-minute searches for required information.

The registration process can take up to 4 weeks to complete. Therefore, registration should be done in sufficient time to ensure it does not impact your ability to meet required application submission deadlines.

If individual applicants are eligible to apply for this grant funding opportunity, refer to: <https://www.grants.gov/web/grants/applicants/individual-registration.html>.

Organization applicants can find complete instructions here:

<https://www.grants.gov/web/grants/applicants/organization-registration.html>.

1. *Obtain a DUNS Number:* All entities applying for funding, including renewal funding, must have a Data Universal Numbering System (DUNS) number from Dun & Bradstreet (D&B). Applicants must enter the DUNS number in the data entry field labeled "Organizational DUNS" on the SF-424 form.

For more detailed instructions for obtaining a DUNS number, refer to:

<https://www.grants.gov/web/grants/applicants/organization-registration/step-1-obtain-duns-number.html>.

2. *Register with SAM:* In addition to having a DUNS number, organizations applying online through Grants.gov must register with the System for Award Management (SAM). All organizations must register with SAM in order to apply online. Failure to register with SAM will prevent your organization from applying through Grants.gov.

For more detailed instructions for registering with SAM, refer to:

<https://www.grants.gov/web/grants/applicants/organization-registration/step-2-register-with-sam.html>.

3. *Create a Grants.gov Account:* The next step in the registration process is to create an account with Grants.gov. Applicants must know their organization's DUNS number to complete this process. Completing this process automatically triggers an email request for applicant roles to the organization's E-Business Point of Contact (EBiz POC) for review. The EBiz POC is a representative from your organization who is the contact listed for SAM. To apply for grants on

behalf of your organization, you will need the Authorized Organizational Representative (AOR) role.

For more detailed instructions about creating a profile on Grants.gov, refer to: <https://www.grants.gov/web/grants/applicants/organization-registration/step-3-username-password.html>.

4. *Authorize Grants.gov Roles:* After creating an account on Grants.gov, the EBiz POC receives an email notifying them of your registration and request for roles. The EBiz POC will then log in to Grants.gov and authorize the appropriate roles, which may include the AOR role, thereby giving you permission to complete and submit applications on behalf of the organization. You will be able to submit your application online any time after you have been approved as an AOR.

For more detailed instructions about creating a profile on Grants.gov, refer to: <https://www.grants.gov/web/grants/applicants/organization-registration/step-4-aor-authorization.html>.

5. *Track Role Status:* To track your role request, refer to: <https://www.grants.gov/web/grants/applicants/organization-registration/step-5-track-aor-status.html>.

b. *Electronic Signature:* When applications are submitted through Grants.gov, the name of the organization's AOR that submitted the application is inserted into the signature line of the application, serving as the electronic signature. The EBiz POC **must** authorize individuals who are able to make legally binding commitments on behalf of the organization as an AOR; **this step is often missed and it is crucial for valid and timely submissions.**

## 7. HOW TO SUBMIT AN APPLICATION TO USDOT VIA GRANTS.GOV

*On behalf of the USDOT, this NOFO is issued by Federal Highway Administration (FHWA), Office of Acquisition and Grants Management. Accordingly, the grants.gov notice will appear under the agency name of FHWA.*

Grants.gov applicants can apply online using Workspace. Workspace is a shared, online environment where members of a grant team may simultaneously access and edit different webforms within an application. For each funding opportunity announcement (FOA), you can create individual instances of a workspace.

Below is an overview of applying on Grants.gov. For access to complete instructions on how to apply for opportunities, refer to:

<https://www.grants.gov/web/grants/applicants/apply-for-grants.html>.

1. *Create a Workspace*: Creating a Workspace allows you to complete it online and route it through your organization for review before submitting.
2. *Complete a Workspace*: Add participants to the Workspace, complete all the required forms, and check for errors before submission.
  - a. *Adobe Reader*: If you decide not to apply by filling out Webforms you can download individual PDF forms in Workspace so that they will appear similar to other Standard or FHWA forms. The individual PDF forms can be downloaded and saved to your local device storage, network drive(s), or external drives, then accessed through Adobe Reader.
  - b. NOTE: Visit the Adobe Software Compatibility page on Grants.gov to download the appropriate version of the software at:  
<https://www.grants.gov/web/grants/applicants/adobe-software-compatibility.html>.
  - c. *Mandatory Fields in Forms*: In the forms, you will note fields marked with an asterisk and a different background color. These fields are mandatory fields that must be completed to successfully submit your application.
  - d. *Complete SF-424 Fields First*: The forms are designed to fill in common required fields across other forms, such as the applicant name, address, and DUNS number. To trigger this feature, an applicant must complete the SF-424 information first. Once it is completed, the information will transfer to the other forms.
3. *Submit a Workspace*: An application may be submitted through workspace by clicking the Sign and Submit button on the Manage Workspace page, under the Forms tab. Grants.gov recommends submitting your application package at least 24-48 hours prior to the close date to provide you with time to correct any potential technical issues that may disrupt the application submission.
4. *Track a Workspace*: After successfully submitting a workspace package, a Grants.gov Tracking Number (GRANTXXXXXXXX) is automatically assigned to the package. The number will be listed on the Confirmation page that is generated after submission.

For additional training resources, including video tutorials, refer to:

<https://www.grants.gov/web/grants/applicants/applicant-training.html>.

*Applicant Support*: Grants.gov provides applicants 24/7 support via the toll-free number 1-800-518-4726 and email at [support@grants.gov](mailto:support@grants.gov). For questions related to the specific

grant opportunity, contact the number listed in the application package of the grant you are applying for.

If you are experiencing difficulties with your submission, it is best to call the Grants.gov Support Center and get a ticket number. The Support Center ticket number will assist the FHWA with tracking your issue and understanding background information on the issue.

## **8. SUBMISSION DATES AND TIMES**

Applications must be submitted through [www.grants.gov](http://www.grants.gov) by the submission deadline stated on page 3 of the NOFO.

### Late Applications

The Grants.gov registration process usually takes 2–4 weeks to complete. Late applications that are the result of failure to register or comply with Grants.gov applicant requirements in a timely manner will not be considered. Only Applicants who comply with the submission deadline described in this notice and submit applications through the Grants.gov Workspace will be eligible for award. Applicants are strongly encouraged to make submissions in advance of the deadline. Applications received after the deadline will not be considered except in the case of unforeseen technical difficulties with Grants.gov that are beyond the Applicant's control. In those instances, the Applicant must contact the Grants.gov help desk prior to the application deadline with the user name of the registrant and details of the technical issue experienced. Please note: Applicants must obtain a Grants.gov Help Desk Tracking Number if they are experiencing technical difficulties. After the submission deadline, the Applicant must contact the USDOT point of contact email address (see NOFO Section G), and provide the following information:

- a. Details of the technical issue experienced;
- b. Screen capture(s) of the technical issues experienced along with corresponding Grants.gov grant tracking number;
- c. The legal business name for the Applicant that was provided in the SF–424;
- d. The AOR name submitted in the SF–424;
- e. The DUNS number associated with the application; and
- f. The Grants.gov Help Desk Tracking Number.

After USDOT staff review all information submitted and contact the Grants.gov Help Desk to validate reported technical issues, USDOT staff will contact late Applicants to

approve or deny a request to submit a late application through Grants.gov. If the reported technical issues cannot be validated, late applications will be rejected as untimely.

The USDOT expects applications to be complete upon submission. USDOT reserves the right to reject incomplete applications.

## **9. INTERGOVERNMENTAL REVIEW**

An application under this Notice of Funding Opportunity is not subject to the State review under E.O. 12372.

## **10. FUNDING RESTRICTIONS**

The USDOT will not reimburse any pre-award costs or application preparation costs.

## **11. USE OF INFORMATION FOR OTHER DEPARTMENTAL PURPOSES**

Information collected from all applicant submissions may be used for government purposes. In addition, information gathered through this Notice may be used to conduct outreach and engagement related future similar opportunities.

## SECTION E – APPLICATION REVIEW INFORMATION

### 1. CRITERIA FOR SELECTION OF AWARDEES

The Government will evaluate applications on the following technical merit criteria, which are of equal importance. These criteria are distinct from eligibility criteria (see Section C) that are addressed before an application is accepted for review.

#### *TECHNICAL MERIT CRITERIA:*

- I. GOALS: Degree that the proposed demonstration aligns with and/or satisfies the NOFO Goals:
  - a. Safety;
  - b. Data for Safety Analysis and Rulemaking; and
  - c. Collaboration.
- II. FOCUS AREAS: Degree that the proposed demonstration aligns with and/or satisfies the NOFO Focus Areas:
  - a. Significant Public Benefit(s);
  - b. Addressing Market Failure and Other Compelling Public Needs;
  - c. Economic Vitality;
  - d. Complexity of Technology;
  - e. Diversity of Projects;
  - f. Transportation-challenged Populations; and
  - g. Prototypes.
- III. REQUIREMENTS: Degree that the proposed demonstration satisfies the NOFO Requirements:
  - a. Each demonstration must focus on the research and development of automation and ADS technology (per the SAE definitions), with a preference for demonstrating L3 or greater automation technologies;
  - b. Each demonstration must include a physical demonstration;
  - c. Each demonstration must include the gathering and sharing of all relevant and required data with the USDOT throughout the project, in near real time. The Recipient must ensure the appropriate data are accessible to USDOT and/or the public for a minimum of five years after the award period of performance expires;
  - d. Each demonstration must include input/output user interfaces on the ADS and related applications that are accessible and allow users with varied abilities to input a new destination or communicate route information and to access information generated by the ADS; and

- e. Each demonstration must address how the demonstration can be scaled to be applicable across the Nation, and include an outreach task to share demonstration status, results, and lessons learned with other jurisdictions and the public, in furtherance of technical exchange and knowledge transfer.
- IV. APPROACH: Feasibility, Soundness and Innovation of Approach, including:
- a. Technical Approach;
  - b. Management Approach;
  - c. Staffing Approach; and
  - d. Data Management Approach as shown in Draft Data Management Plan.
- V. CAPABILITIES: Capabilities to Perform, including:
- a. Capabilities and capacity to take on a project of this magnitude, considering executive commitment, workforce capacity, degree of readiness, and data and performance management capabilities;
  - b. Success of recent past and ongoing relevant projects and relevant technologies implemented by the Applicant and/or by the team; and
  - c. Role and planned involvement of stakeholders, key partners, and other organizations, as applicable.

**COST:**

Relative cost will be considered in the award decision. The budget application will be analyzed to assess cost reasonableness and conformance to applicable cost principles. This evaluation factor will not be rated.

The degree of cost share and leveraging of non-federal funds will be considered in the award decision. Applicants must provide the required Non-Federal cost share, and supporting detail for these funds. Additional cost sharing will be considered beneficial to break ties among applications with equivalent ratings after evaluation against all other factors.

Funding availability will also be considered in the award decision.



## 2. REVIEW AND SELECTION PROCESS

The USDOT may utilize a phased approach for the review, selection, and award of applications depending upon the number, type, and quality of applications received. USDOT will use a merit review process to evaluate applications and make selections for award. As determined necessary to support the evaluation and selection process, the USDOT may conduct discussions with the selected Applicant to clarify elements of the technical and budget applications, and/or request additional detailed and itemized cost information.

**REVIEW:** The USDOT will review all eligible applications received on time before the application deadline. The review process consists of a technical evaluation phase and senior review. The Secretary will select the projects for award. The USDOT reserves the right to use outside expertise and/or contractor support to perform application evaluation. A panel of Agency experts will conduct a risk assessment of selected Applicants prior to award.

**SELECTION:** The USDOT will select for award the applications that are considered the most advantageous to the USDOT:

- (1) Based on the Technical Merit Criteria (described above);
- (2) Subject to the results of an Applicant risk assessment (described below); and
- (3) Considering the following objectives:
  - a. The USDOT intends to fund a collection of projects that serve a variety of communities, including urban, suburban, and rural environments, and that serve a variety of transportation markets including freight, personal mobility, and public transportation.
  - b. The USDOT intends to fund projects that test applications with the greatest potential to service transportation-challenged populations, including older adults and individuals with disabilities.

**SELECTION OFFICIAL:** The Secretary of Transportation is the official responsible for final award selections. The USDOT is not obligated to make any award as a result of this notice. The USDOT is not obligated to award the total amount of available funding based on this NOFO.

**RISK ASSESSMENT**: Prior to award, each selected Applicant will be subject to a risk assessment required by 2 CFR 200.205. If the Federal awarding Agency determines that a Federal award will be made, special conditions that correspond to the degree of risk assessed may be applied to the Federal award.

This Risk Assessment will include evaluation of some or all of the following items relative to the Applicant and/or sub-applicants as applicable:

- (1) Applicant's financial stability;
- (2) Applicant's quality of management systems and ability to meet the management standards prescribed in 2 CFR Part 200;
- (3) Applicant's history of performance;

Note: History of performance includes the Applicant's record in managing Federal awards, if it is a prior Recipient of Federal awards, including timeliness of compliance with applicable reporting requirements, conformance to the terms and conditions of previous Federal awards, and if applicable, the extent to which any previously awarded amounts will be expended prior to future awards. The Government will evaluate the relevant merits of the Applicant's history of performance based on its reputation and record with its current and/or former customers with respect to quality, timeliness and cost control. The history of performance will be reviewed to assure that the Applicant has relevant and successful experience and will be considered in the risk assessment. In evaluating history of performance, the Government may consider both written information provided in the application, as well as any other information available to the Government through outside sources.

- (4) Applicant's audit reports and findings from audits performed on the Applicant pursuant to 2 CFR Part 200 Subpart F—Audit Requirements or the reports and findings of any other available audits;
- (5) Applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on non-Federal entities;
- (6) Applicant's potential for conflict of interest if applicable; and

Note: The USDOT will review information provided by the Applicant, and any other relevant information known to USDOT, to determine whether an award to the Applicant may create an actual or potential conflict of interest. If any such conflict of interest is found to exist, the FHWA may (a) disqualify the Applicant, or (b) determine that it is otherwise in the best interest of the United States to award to the Applicant and include

appropriate provisions to mitigate or avoid such conflict in the Agreement pursuant to 2 CFR 200.112.

(7) Applicant's eligibility to receive Federal funding. Per the guidelines on government-wide suspension and debarment in 2 CFR Part 180, the Government will confirm that the Applicant and any named sub-applicants are not debarred, suspended or otherwise excluded from or ineligible for participation in Federal programs or activities.

Pursuant to 2 CFR Part 200.205, prior to making a Federal award, the Federal awarding Agency is required to review information available through any OMB-designated repositories of government-wide eligibility qualification or financial integrity information, such as Federal Awardee Performance and Integrity Information System (FAPIIS), Dun and Bradstreet, and Sam.gov. The Government's review of this information will occur as part of the risk assessment. An Applicant may review information in FAPIIS and comment on any information about itself. The USDOT will consider comments by the Applicant, in addition to other information in FAPIIS, in making a judgment about the Applicant's integrity, business ethics, and record of performance under Federal awards when completing the risk assessment. The USDOT reserves the right to deny an award based on the results of the risk assessment.

## **SECTION F – FEDERAL AWARD ADMINISTRATION INFORMATION**

### **1. FEDERAL AWARD NOTICES**

Following the evaluation outlined in Section E, the USDOT will notify the selected Applicants and announce the selected projects. Notice that an Applicant has been selected for award does not constitute approval of the application as submitted. Before the award, the USDOT may contact the applicant's point of contact listed in the SF 424 to initiate negotiation of a project specific agreement if applicable. If the negotiations do not result in an acceptable submittal, the USDOT reserves the right to terminate the negotiation and decline to fund the Applicant.

### **2. ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS**

#### **GOVERNING REGULATIONS**

Performance under this Agreement will be governed by and in compliance with the following regulations:

- 2 CFR Part 200, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" as adopted by USDOT at 2 CFR Part 1201.
- Cost Principles For-profit Organizations: 48 CFR 31 (Federal Acquisition Regulations) Subpart 31.2
- Division L, Title IV, Sec. 410 of Public Law 115-141. No funds received for carrying out this grant may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 8301–8305, popularly known as the "Buy American Act").
- Applicable Federal laws, rules, and regulations also apply.

#### **GENERAL TERMS AND CONDITIONS:**

NOTE TO APPLICANTS: The following link contains General Terms and Conditions that may be incorporated into grant awards. As needed and appropriate to the awarding agency / office, the General Terms and Conditions may differ to reflect the administrative procedures of the awarding agency / office. However, the following link contains representative General Terms and Conditions to be incorporated into resulting grant awards:

<http://www.fhwa.dot.gov/aaa/generaltermsconditions.cfm>

**SPECIAL TERMS AND CONDITIONS:**

NOTE TO APPLICANTS: The following paragraphs contain Special Terms and Conditions that may be incorporated into grant awards. As needed and appropriate to the awarding agency / office, the Special Terms and Conditions may differ to reflect the administrative procedures of the awarding agency / office. However, the following paragraphs are representative Special Terms and Conditions to be incorporated into resulting grant awards:

**A. PUBLIC ACCESS TO DOCUMENTS**

The Applicant agrees that the resulting deliverables/documentation submitted to the USDOT under this Agreement may be posted online for public access and/or shared by USDOT with other interested parties. The USDOT anticipates the documents cited herein may be posted on an USDOT website or another appropriate website.

**B. DATA RIGHTS**

The Recipient must make available to the USDOT copies of all work developed in performance with this Agreement, including but not limited to software and data. Data rights under this agreement shall be in accordance with 2 CFR 200.315, Intangible property.

**C. PERSONALLY IDENTIFIABLE INFORMATION (PII)**

Personally Identifiable Information (PII) as defined at 2 CFR Part 200.79 and 2 CFR 200.82 will not be requested unless necessary and only with prior written approval of the AO with concurrence from the AOR.

**D. AVAILABLE FUNDING**

The total estimated amount of Federal funding that may be provided under this Agreement is \$\_\_\_\_\_ (to be filled in at award) for the entire period of performance, subject to the limitations shown below:

- (1) Currently, Federal funds identified on page 1 of the award document, are obligated to this agreement.
- (2) Subject to availability of funds, and an executed document by the AO, the difference between the current funding and the total estimated amount of Federal funding may be obligated to this Agreement.
- (3) The FHWA's liability to make payments to the Recipient is limited to those funds obligated under this Agreement as indicated above and any subsequent amendments.

**E. PROGRAM INCOME**

Pursuant to 2 CFR 200.307, Program income earned during the agreement period must be added to the Federal award and used for the purposes and under the conditions of the Federal award, unless otherwise approved by the AO. Program income must not be used to offset the Federal or Recipient contribution to this project.

**F. DESIGNATION AS RESEARCH AND DEVELOPMENT OR NON-RESEARCH AND DEVELOPMENT**

This agreement is designated as: RESEARCH AND DEVELOPMENT

**G. CONFERENCE SUPPORT RESTRICTIONS**

The Recipient must obtain written approval from the AOR prior to incurring any costs for conference support. See the definition of conference as contained in 2 CFR 200.432.

Food and beverage costs are not allowable conference expenses for reimbursement under this Agreement.

Note: Costs of meals are allowable as a travel per diem expense for individuals on travel status and pursuant to the Travel clause of this Agreement.

**H. DISPUTES**

The parties to this Agreement will communicate with one another in good faith and in a timely and cooperative manner when raising issues under this provision. Any dispute, which for the purposes of this provision includes any disagreement or claim, between the USDOT and the Recipient concerning questions of fact or law arising from or in connection with this Agreement and whether or not involving alleged breach of this Agreement, may be raised only under this Disputes provision.

Whenever a dispute arises, the parties will attempt to resolve the issues involved by discussion and mutual agreement as soon as practical. In no event will a dispute which arose more than three months prior to the notification made under the following paragraph of this provision constitute the basis for relief under this article unless USDOT waives this requirement.

Failing resolution by mutual agreement, the aggrieved party will document the dispute by notifying the other party in writing of the relevant facts, identify unresolved issues and specify the clarification or remedy sought. Within five working days after

providing written notice to the other party, the aggrieved party may, in writing, request a decision from one level above the AO. The AO will conduct a review of the matters in dispute and render a decision in writing within thirty calendar days of receipt of such written request. Any decision of the AO is final and binding unless a party will, within thirty calendar days, request further review as provided below.

For FHWA awards only: Upon written request to the FHWA Director, Office of Acquisition and Grants Management or designee, made within thirty calendar days after the AO's written decision or upon unavailability of a decision within the stated time frame under the preceding paragraph, the dispute will be further reviewed. This review will be conducted by the Director, Office of Acquisition and Grants Management. Following the review, the Director, Office of Acquisition and Grants Management, will resolve the issues and notify the parties in writing. Such resolution is not subject to further administrative review and to the extent permitted by law, will be final and binding. Nothing in this Agreement is intended to prevent the parties from pursuing disputes in a United States Federal Court of competent jurisdiction.

## **I. PUBLIC ACCESS REQUIREMENTS AND COMPLIANCE (DATA ACCESS AND DATA SHARING)**

In response to the White House Office of Science and Technology Policy memorandum dated February 22, 2013, entitled *Increasing Access to the Results of Federally Funded Scientific Research*, DOT is incorporating Public Access requirements into all funding awards (grants and cooperative agreements) for scientific research. This section sets forth the requirements a funding recipient must satisfy to be in full compliance with the USDOT Public Access plan.

For all wholly or partially federal funded scientific research agreements, the Recipient hereby agrees to comply with the requirements of the USDOT Public Access plan. The Recipient is required to include these obligations in any sub-awards or other related funding agreements. The full requirements of the DOT Public Access plan requirements include, but are not limited to, the following:

### **i. Copyright License**

Recipient hereby grants to the USDOT a worldwide, non-exclusive, non-transferable, paid-up, royalty-free copyright license, including all rights under copyright, to any and all Publications and Digital Data Sets as such terms are defined in the USDOT Public Access plan, resulting from scientific research funded either fully or partially by this funding agreement. Recipient herein acknowledges that the above copyright license grant is first

in time to any and all other grants of a copyright license to such Publications and/or Digital Data Sets, and that USDOT shall have priority over any other claim of exclusive copyright to same.

## ii. Reporting and Compliance Activities

Recipient hereby agrees to satisfy the reporting and compliance requirements as set forth in the USDOT Public Access plan, including, but not limited to, the submission and approval of a Data Management Plan, the use of Open Researcher and Contributor ID (ORCID) numbers, the creation and maintenance of a research project record in the Transportation Research Board's (TRB) Research in Progress (RiP) database, and the timely and complete submission of all required publications and associated digital data sets as such terms are defined in the DOT Public Access plan. Additional information about how to comply with the requirements can be found at: <https://ntl.bts.gov/public-access/how-comply>.

Definition of Data: "Data" is defined by the Federal Acquisition Regulation Subpart 27.4 as "...recorded information, regardless of form or the media on which it may be recorded. The term includes technical data and computer software. The term does not include information incidental to contract administration, such as financial, administrative, cost or pricing, or management information." For additional information: [https://www.acquisition.gov/far/html/Subpart%2027\\_4.html](https://www.acquisition.gov/far/html/Subpart%2027_4.html).

## J. BUY AMERICAN AND DOMESTIC VEHICLE PREFERENCES

The Recipient must comply with the Buy American Act, 41 U.S.C. §§ 8301–8305, as implemented at 48 C.F.R. Subparts 25.1–25.2, in expending funds under this award. For the purpose of 41 U.S.C. § 8301, activities under this award are deemed a public work of the Federal Government. In addition to the requirements of the Buy American Act, the Recipient must not expend funds under this award to purchase a motor vehicle unless the final assembly of that vehicle occurred in the United States. The Recipient must require that subrecipients and contractors comply with these domestic preference requirements for all tiers of subawards and subcontracts.

Any exception under 48 C.F.R. §§ 25.103 or 25.202 and any exception of the requirements of this clause must be approved by the Agreement Officer before funds are expended.



**K. INDIRECT COSTS**

Indirect costs are allowable under this Agreement in accordance with the Recipient's Federally Negotiated Indirect Cost Rates as documented in writing and approved by the Recipient's cognizant Government agency. In the absence of such Government-approved indirect rates, the following rates are hereby approved for use under this agreement as shown below:

<i>Type*</i>	<i>Indirect Rate</i>	<i>Period</i>	<i>Rate (%)</i>	<i>Base</i>
<b>(*** Information to be filled in at award ***)</b>				

\*Types of Rates: Pred - Predetermined; Fixed - Fixed; Final – Final; Prov: Provisional/billing; or De minimus.

In the event the Recipient determines the need to adjust the above listed rates, the Recipient will notify the AO of the planned adjustment and provide rationale for such adjustment. In the event such adjustment rates have not been audited by a Federal agency, the adjustment of rates must be pre-approved in writing by the AO.

This Indirect Cost provision does not operate to waive the limitations on Federal funding provided in this document. The Recipient's audited final indirect costs are allowable only insofar as they do not cause the Recipient to exceed the total obligated funding.

**L. KEY PERSONNEL**

Pursuant to 2 CFR 200.308(c)(2), the Recipient must request prior written approval from the AO for any change in Key Personnel specified in the award. The following person(s) are/have been identified as Key Personnel:

<b>Name</b>	<b>Title/Position</b>
<b>(*** to be filled in at award ***)</b>	

**3. REPORTING**

The Recipient must submit all required reports and documents, under transmittal letter referencing the Agreement number, as follows:

Submit an **electronic copy** to the Agreement Officer at the following address:

<To be filled in upon award>

Submit an **electronic copy** to the AOR at the following address:

<To be filled in upon award>

#### **A. QUARTERLY PROGRESS REPORT**

The Recipient must submit an electronic copy of the SF-PPR, to the AOR and the Agreement Specialist/Agreement Officer on or before the 30th of the month following the calendar quarter being reported. Final PPRs are due 90 days after the end of the Agreement period of performance. The SF-PPR is available online:

[http://www.whitehouse.gov/sites/default/files/omb/grants/grants\\_forms.html](http://www.whitehouse.gov/sites/default/files/omb/grants/grants_forms.html).

Calendar quarters are defined as:

1st: January – March

2nd: April – June

3rd: July – September

4th: October – December

Reports due on or before:

April 30th

July 30th

October 30th

January 30th

The quarterly progress report must include the required certification pursuant to 2 CFR 200.415.

The quarterly progress report must consist of the SF-PPR cover page and all the following required attached information:

To fulfill the SF-PPR Block 10, Performance Narrative requirement, the Recipient must complete the Quarterly Reporting Template (expand as necessary) that will provide a formatted report of:

- a. Work performed for the current quarter;
- b. Work planned for the upcoming quarter;
- c. Description of any problem encountered or anticipated that will affect the completion of the work within the time and fiscal constraints as set forth in the Agreement, together with recommended solutions to such problems; or, a statement that no problems were encountered;
- d. A tabulation, clearly delineated by Federal share, cost share and total, of the current and cumulative costs expended by cost element (labor, travel, indirect costs, sub-recipient/subcontractor, etc.) by quarter versus budgeted costs;
- e. Work performed in support of the FHWA and DOT Strategic Goals; and

- f. Budget revisions if applicable.

In the SF-PPR Block 11, Other Attachments, include the following information as attached pages:

- a. SF-425, Federal Financial Report, and
- b. SF-425A, Federal Financial Report Attachment (if applicable).

## **B. ANNUAL BUDGET REVIEW AND PROGRAM PLAN**

The Recipient must submit an electronic copy and one hard copy of the Annual Budget Review and Program Plan to the AOR and one electronic copy and one hard copy to the Agreement Specialist 60 days prior to the anniversary date of this Agreement. The Annual Budget Review and Program Plan must include the required certification pursuant to 2 CFR 200.415. The Annual Budget Review and Program Plan must provide a detailed schedule of activities, estimate of specific performance objectives, include forecasted expenditures, and schedule of milestones for the upcoming year. If there are no proposed deviations from the Approved Project Budget, the Annual Budget Review must contain a statement stating such. The Recipient must meet via teleconference or web conference with the FHWA to discuss the Annual Budget Review and Program Plan. Work proposed under the Annual Budget Review and Program Plan must not commence until AO's written approval is received.

## **SECTION G – FEDERAL AWARDING AGENCY CONTACTS**

Address any questions to:

[ADSDemoGrants@dot.gov](mailto:ADSDemoGrants@dot.gov)